Date



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 2612

Examiner: Not Assigned

Commissioner for Patents

Alexandria, VA 22313-1450, on

P.O. Box 1450

me

nature

January 3, 2006 Date of Deposit

Shindale Ferguson

I hereby certify that this correspondence is being deposited with the United States

Postal Service with sufficient postage as first class mail in an envelope addressed

In re application of:

Takashi TANIMOTO

Serial No: 10/765,662

Filed:

Dear Sirs:

January 27, 2004

For:

Image Capturing Device Having A

Plurality of Solid Image Capturing

Element

## TRANSMITTAL OF INFORMATION DISCLOSURE STA

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## The information disclosure statement submitted herewith is being filed within three 1. months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).

The information disclosure statement transmitted herewith is being filed after the period specified in §1.97(b), but before the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in \$1.97(a) or a fee set forth in \$1.17(n) is included 37 C.F.R. \$1.97(c)

31.	gr(e) or a fee set forth in §1.17(p) is included. 37 O.F.it. §1.37(c).
	§1.97(e) STATEMENT
I, t	he person signing below, state:
	that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).  OR
	that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in

		§1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).
		OR FEE
		Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00). [OR:] Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00) to Deposit Account No. 50-1314. A copy of this petition is enclosed.
3.		The information disclosure statement transmitted herewith is being filed after the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).
		§1.97(e) STATEMENT
		I, the person signing below, state:
		that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).
		OR
		that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).
		AND FEE
		Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).
4.	$\boxtimes$	If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. A copy of this petition is enclosed.
5.	$\boxtimes$	A list of 2 reference(s) is in the enclosed Form PTO-1449.

## NON-ENGLISH LANGUAGE REFERENCES

$\boxtimes$	Enclosed is a Chinese language office action and English translation for a counterpart application.
	The specification incorporates comments on the relevancy of Non-English language references.
Ģ	Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

Date: January 3, 2006

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Troy M. Schmelzer
Registration No. 36,667
Attorney for Applicant(s)

Respectfully submitted, HOGAN& HARTSON L.L.P.

FORM PTO-1	449		Docket Number (Optional) 81784.0299		Application Number 10/765,662				
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EXAMINER INITIAL	DOCUMENT NUMBER	DATE		NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE		
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EXAMINER DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.